

INTERNATIONAL SEARCH REPORT

International application No.
PCT/AU2005/000097

A. CLASSIFICATION OF SUBJECT MATTER Int. Cl. G06F 17/60 According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) PCT Gazette: electronic auction, online auction, final bid, final offer and USPTO: auction, rating, supplier		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2001/46833 A (LOGISTICS.COM, INC.) 28 June 2001 See whole document	1 - 15
X	WO 2000/17797 A (FREEMARKETS, INC.) 30 March 2000 See whole document	1 - 15
X	WO 2001/33449 A (INTERNET AUCTION CO., LTD) 10 May 2001 See whole document	1 - 3, 5 - 9, 14
Y	WO 2005/001597 A (COPART, INC.) 6 January 2005	4, 10 - 13, 15
P, X	See whole document	1 - 3, 5 - 9, 14
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C <input checked="" type="checkbox"/> See patent family annex		
* Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family	
Date of the actual completion of the international search 5 April 2005		Date of mailing of the international search report 15 APR 2005
Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929		Authorized officer CATHERINE REES Telephone No : (02) 6283 2811

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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 6647374 B (KANSAL) 11 November 2003 See whole document	4, 10 - 13, 15
Y	US 6647373 B (CARLTON-FOSS) 11 November 2003 See whole document	4, 10 - 13, 15

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

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This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report		Patent Family Member			
WO	0146833	US	2003236739		
WO	0017797	AU	32926/01	AU	40535/00
		CA	2344253	CA	2365275
		EP	1122667	EP	1122668
		EP	1183597	US	6199050
		US	6223167	US	6230146
		US	6408283	US	6499018
		US	2001021923	US	2001027431
		US	2001032167	US	2001032173
		US	2001039528	US	2001042039
		US	2002042769	US	2002046148
		WO	0058898	WO	0153929
WO	0133449	AU	10610/01	KR	2001039416
US	6647374	AU	86395/01	US	6871181
		US	2003182213	US	2003208420
US	6647373	AU	23785/00	WO	0039729
<p>Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.</p> <p>END OF ANNEX</p>					

PATENT COOPERATION TREATY

From the:
INTERNATIONAL SEARCHING AUTHORITY

REC'D 7 6 APR 2005

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PCT

To:

Allens Arthur Robinson
Patent & Trademark Attorneys
Stock Exchange Centre
530 Collins Street
MELBOURNE VIC 3000

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) 15 APR 2005

Applicant's or agent's file reference
305444957

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/AU2005/000097

International filing date (day/month/year)
28 January 2005

Priority date (day/month/year)
29 January 2004

International Patent Classification (IPC) or both national classification and IPC
Int. Cl. ⁷ G06F 17/60

Applicant
OZB2B PTY LTD et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☒ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the IPEA/AU
AUSTRALIAN PATENT OFFICE
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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2005/000097

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

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Box No. V **Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	YES
	Claims 1 – 15	NO
Inventive step (IS)	Claims	YES
	Claims 1 – 15	NO
Industrial applicability (IA)	Claims 1 – 15	YES
	Claims	NO

2. Citations and explanations:

Citations:

- a) WO 2001/46833
- b) WO 2000/17797
- c) WO 2001/33449
- d) US 6647374
- e) US 6647373

Novelty (N) and Inventive Step (IS):

Citations a) and b) disclose all of the essential features of the invention as claimed. These citations each disclose an online auction, traditional or reverse, with the option for bidders to set a default maximum or minimum bidding price. These citations also disclose the selection of a bidder or supplier through parameters other than price only. Citation c) discloses all of the essential features of claims 1 to 3, 5 to 9, and 14. This citation discloses an online auction with the option of a default maximum bid. Citations d) and e) each disclose reverse auctions with the rating of bidders or suppliers by a variety of parameters. Combining citation c) with either citation d) or e) clearly discloses all of the features of claims 4, 10 to 13 and 15.

Features such as the first party being a seller and the counterparties competing buyers; and maintaining the confidentiality of a final default bid unless and until it becomes a valid bid are obvious and do not add any novelty conferring features.

The invention of claims 1 to 15 cannot, therefore, be considered to be novel or to involve an inventive step in the light of the above citations.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

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Box No. VI Certain documents cited

1. Certain published documents (Rules 43bis.1 and 70.10)

<u>Application No. Patent No.</u>	<u>Publication date (day/month/year)</u>	<u>Filing date (day/month/year)</u>	<u>Priority date (valid claim) (day/month/year)</u>
WO 2005/001597	6 January 2005	5 May 2004	18 June 2003

This document discloses all of the essential features of claims 1 to 3, 5 to 9 and 14. These claims are not novel in light of this document.

2. Non-written disclosures (Rules 43bis.1 and 70.9)

<u>Kind of non-written disclosure</u>	<u>Date of non-written disclosure (day/month/year)</u>	<u>Date of written disclosure referring to non-written disclosure (day/month/year)</u>
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